



MONTGOMERY COUNTY, MARYLAND  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
AGING AND DISABILITY SERVICES

**COMMISSION ON PEOPLE WITH DISABILITIES ANNUAL REPORT 2010**  
*"Promoting Choice and Independence"*



Letter of Transmittal to:

November, 2010

Honorable Isiah Leggett, Montgomery County Executive  
Honorable Nancy Floreen, President Montgomery County Council  
Uma S. Ahluwalia, Director, Montgomery County Department of Health and Human Services

The Commission on People with Disabilities is pleased to present a summary of its activities for the past year. We continue to advise and consult with you on issues of concern to the safety and well-being of the estimated over 180,000 people with disabilities who live in the County. The Commission continues to work to improve the lives of people with disabilities who work, visit or live here. Under your leadership and with your support, the Commission is mandated to ensure that the County government complies with all Federal, State and local laws that guarantee the rights of people with disabilities, particularly the Americans with Disabilities Act of 1990, and the Supreme Court's 1999 Olmstead Decision which upheld the "integration mandate" of the Americans with Disabilities Act requiring public agencies to provide services "in the most integrated setting appropriate to the needs of qualified individuals with disabilities."

This year the Commission was proud that both the Executive and legislative branches of the County supported and passed Bill 46-09, which established a hiring preference for veterans and persons with disabilities for a vacant County merit system position if the candidate is among the highest rated candidates in a normal competitive process. We value the relationship we have with the Office of Human Resource and will continue to meet with them on increasing employment of people with disabilities in its diversity outreach efforts. From efforts to comply with the Olmstead Decision to Therapeutic Recreation to MetroAccess to accessibility on the fixed route transportation system, we have taken positions and given advice on how best to ensure greatest access.

We wish to recognize and give our personal thanks to all Commissioners, the many community members, and the agency staff who participate in our meetings for their commitment and dedication in promoting the civil rights and independence of people with disabilities. We would like to acknowledge DHHS Director Uma Ahluwalia for continuing to meet with the Boards, Commissions, and Committees to keep us informed of important health and human services issues; Jay Kenney, Ph.D., Chief, Aging & Disability Services, Betsy Luecking, Disability Policy Specialist, and Carly Clem, OSC, for their outstanding support in providing the Commission with the resources needed to carry out our mission. This report is the result of our combined efforts.

It has been a pleasure to work with you and members of the Commission during our term of service. We are confident that you will continue to support the Commission's efforts to enhance the lives of people with disabilities. Our meetings are open to the public, and we invite you to join us for any meeting.

Sincerely,



*Mark Maxin*

Mark Maxin  
Chair

*Aaron Kaufman*

Aaron Kaufman  
Vice Chair



# MEMBERSHIP LIST

2009 - 2010

## VOTING MEMBERS

### PEOPLE WITH DISABILITIES

Cindy Buddington	John Miers
Charles Crawford	Seth Morgan
Harry Eisenberg	Marcie Povitsky
Trish Gallalee	Kamran Rasul
Aaron Kaufman	Sandra Sermons
Tim Markwood	Isabel A. Torres-Davis
Paul Meyer	

### PARENT REPRESENTATIVES

Sharon Freiman  
Irving Shapiro  
Jackie Simon

### PRIVATE AGENCY REPRESENTATIVES

Kim Alfonso, *Columbia Lighthouse for the Blind*  
Lauren Feuerstein, *Jewish Social Service Agency*  
Lise Hamlin, *Hearing Loss Association of America*  
Janeth Kamala, *Inwood House*  
Edmund Kenny, *Handicap International*  
Mark Maxin, *Special Olympics*  
Daphne Pallozzi, *Lt. Joseph P. Kennedy Institute of Catholic Charities*  
Stephen Riley, *Potomac Community Resources*

## NON-VOTING MEMBERS

### PUBLIC AGENCY REPRESENTATIVES

Francie Gilman, *Disability Resource Center, Department of Public Libraries*  
Nancy Greene, *ADA Compliance Officer, Department of Health and Human Services*  
Richard Jackson, *Division of Facilities Management, Department of General Services*  
Mark Winan, *Department of Recreation*  
Kathy Kolan, *Montgomery County Public Schools*  
Judy Hanger, *Division of Transit Services, Department of Transportation*  
Rose Sachs, *Montgomery College Disability Support Services*  
Susan Smith, *Housing Opportunities Commission*  
Darlene Taper, *Department of Health and Human Services, School Health Services*  
Angela Washington, Esq., *Office of Human Resources, Equal Employment & Diversity*  
Betsy Jett, *Human Rights Commission*

## STAFF

Betsy Luecking, *Disability Policy Specialist*  
Carly Clem, *Office Services Coordinator*  
John (Jay) Kenney, Ph.D., *Chief, Aging and Disability Services*

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## COMMISSION PRESENTATIONS FOR 2009 - 2010

October 2009:	<b>Update on Montgomery County Government's Website Accessibility</b> – <i>The Department of Health and Human Services, Department of Technology Services and Public Information Office - Rob Todd, Ivan Galic, Christopher Daniel and Kyung Lee</i>
December 2009:	<b>Advocacy for Programs Serving People with Developmental Disabilities</b> – <i>Tim Wiens, Executive Director, Jubilee Association of MD and Chair of Montgomery County Inter ACC/DD (Interagency Coordinating Committee for People with Developmental Disabilities); and Lauren Newman, Administrator, Community Support Network, Aging and Disability Services</i>
January 2010:	<b>"Overview of Glaucoma"</b> – <i>Dr. Marietta Dawson and Kim Alfonso, Senior Vice President, CLB</i>
March 2010:	<b>Overview of Montgomery County's Office of Emergency Management and Homeland Security (OEMHS) and Multi-Departmental Participation in Planning and Response</b> – <i>Chris Voss, Director, OEMHS / Shelter Task Force History of Emergency Sheltering for the Past 15 Years and What Residents Can Expect Prior to and at Emergency Shelters</i> – <i>Mike Fitzgerald, Emergency Response Planner / Evacuation Considerations &amp; Training</i> – <i>Bill Delaney, Program Manager - Community Safety Education, Division of Community Risk Reduction Services, Montgomery County Fire &amp; Rescue / Proposal for Training of Paramedics and Fire and Rescue Workers on Evacuation of People with Spinal Cord Injury and Traumatic Brain Injury</i> – <i>Dr. Terrence Sheehan, Medical Director, Adventist Rehabilitation Hospital / Emergency Planning Advisory Panel &amp; Follow up</i> – <i>Mike Fitzgerald</i>
April 2010:	<b>FY11 Budget Issues Impacting People with Disabilities</b> – <i>Duchy Trachtenberg, Councilmember, Montgomery County Council</i>
May 2010:	<b>The White Flint Plan</b> – <i>Barnaby Zall, Of Counsel Weinberg &amp; Jacobs, LLP</i>
June 2010:	<b>Montgomery County Council Budget on Disability Programs</b> – <i>The Honorable Phil Andrews, Councilmember, Montgomery County Council</i>
September 2010:	<b>ADA Update and Introduction of ADA Compliance Team</b> – <i>Nancy Greene, ADA Compliance Officer</i>

## BILL 46-09 PRESS RELEASE

### **Leggett Celebrates Signing of Disability and Veteran Hiring Bill Into Law; Establishes County as Local Leader**

**Montgomery County Press Release**

**February 28, 2010**

Montgomery County Executive Isiah Leggett today celebrated the signing into law of Bill 46-09, which establishes a hiring preference for veterans and persons with disabilities for a vacant County merit system position if the candidate is among the highest rated candidates in a normal competitive process. (The bill signing was postponed due to last week's snowstorm. Bill 46-09 was signed by the County Executive and returned to the County Council earlier this week.)

The new law alters an existing hiring preference for veterans, giving the same advantage to people with disabilities. It also creates a new classification -- veterans with disabilities. "Giving preference to qualified persons with disabilities is simply the right thing to do," said Leggett. "Helping out veterans, who have returned home and are facing financial hardship and high unemployment rates, is something I believe we all want to do. These brave men and women have given so much to their country, and this is one way for us to give back to them and to provide hope and opportunity."

Bill 46-09 requires the County Executive to adopt regulations establishing and maintaining a hiring preference for certain qualified persons with disabilities who apply for an initial appointment to a County merit system position. The Council's Management and Fiscal Policy Committee recommended amending the bill to place a veteran with a disability first in the order of hiring preference and to give a veteran without a disability and a non-veteran with a disability an equal preference. The law relies on the definition of disabled used in federal hiring programs, not the broader definition used to prevent discrimination under the Americans With Disabilities Act. The applicant must have proof of the disability, certification of job readiness, and meet all required qualifications for the position.

"With this action, Montgomery County is opening wider the door to qualified applicants with disabilities," said Councilmember Phil Andrews (D Gaithersburg-Rockville), the measure's chief sponsor. "This law in combination with other initiatives to hire qualified persons with disabilities will, over time, reduce the very high unemployment rate of people with disabilities, and enrich the diversity of the County government workforce."

"This bill shows that the County appreciates the service veterans have given for our County and country, and the hardships they have endured," said Chairman of the Commission on Veterans Affairs Bill Gray. "It will help them tremendously and ideally to start a career working for the County."

"I applaud the County Executive and members of the County Council for their vision and commitment towards the hiring of individuals with disabilities in Montgomery County Government," said Chair of the Commission on People with Disabilities Mark Maxin. "This bill acknowledges the extraordinary service and sacrifice of our disabled veterans. Individuals with disabilities are a largely untapped pool of talent and ability who can perform a wide range of jobs. The myths, fears, bias and stereotypes associated with these individuals can be far more limiting than the medical condition itself."

[Bill 46-09](#)

[Executive Regulation 3-10](#)



## SUMMARY OF KEY COUNTY EMPLOYMENT PROGRAMS

### **Disability and Veteran Hiring Bill Into Law Establishes County as Local Leader**

On February 28, 2010 Montgomery County Executive Isiah Leggett signed into law of Bill 46-09, which established a hiring preference for veterans and persons with disabilities for a vacant County merit system position if the candidate is among the highest rated candidates in a normal competitive process. The new law alters an existing hiring preference for veterans, giving the same advantage to people with disabilities. It also creates a new classification -- veterans with disabilities. Bill 46-09 required the County Executive to adopt Executive Regulation 3 -10 to establish and maintain a hiring preference for certain qualified persons with disabilities who apply for an initial appointment to a County merit system position. The Council's Management and Fiscal Policy Committee recommended amending the bill to place a veteran with a disability first in the order of hiring preference and to give a veteran without a disability and a non-veteran with a disability an equal preference. The law relies on the definition of disabled used in federal hiring programs, not the broader definition used to prevent discrimination under the Americans with Disabilities Act. The applicant must be certified as having a disability by the Division of Rehabilitation Services or by the Veterans Administration, certification of job readiness, and meet all required qualifications for the position. This bill action was a result of the long time advocacy of the Commission on People with Disabilities and later the Commission on Veterans Affairs who are administered out of HHS, Aging and Disability Services.

### **Quest Intern Partnership Provides 10 Internship Opportunities**

The Montgomery County QUEST Intern Partnership was launched in October 2009 with the Maryland Department of Education Division of Rehabilitation Services (DORS). The Quest Intern partnership is designed to provide opportunities for individuals to serve as volunteer interns in County Departments and help them obtain job skills by working on a special project(s) in your department. The goal for this initiative is to achieve a minimum of ten (10) QUEST Internship placements by the close of Fiscal Year 2010. Participating departments identify internship projects suitable for QUEST Intern placements and submit the project(s) for consideration by the DORS QUEST Intern Coordinator. DORS representatives will work with county department staff to recruit, identify, and recommend qualified individuals for the approved department projects. The DORS Coordinator recommends qualified intern candidates for consideration and selection by department staff. Department staff will interview internship candidates and select individuals to work in the department for a three month or six-month period. The QUEST internship placements will not impact departmental fiscal requirements, since DORS will handle all the pre-intern placement arrangements and provide the intern stipends. DORS provides QUEST Interns with a stipend for the duration of their service plus help interns gain job experience needed to help them achieve their goal of obtaining gainful employment after completing the intern placement with Montgomery County. This program was developed in partnership with OHR, HHS and the Commission on People with Disabilities.

**Montgomery County Government Customized Employment Public Intern Project: *Cutting Edge Employment Model for Other Counties and Private Employers***—In partnership with other disability advocates, the Commission on People with Disabilities advocated for and is pleased to see that the Customized Employment Public Intern Project funded in FY08 is continuing to provide part-time employment for 20 people with significant disabilities for up to two years per person. As an employer, Montgomery County recognizes that there are many job candidates with significant disabilities who have much to offer but have difficulty competing for traditional jobs within the government. The County established this initiative to create flexible work opportunities for individuals to fulfill the work requirements of County departments. All County departments have the opportunity to work with a customized employment career specialist to identify and create part-time position descriptions based on the department's need. Individuals with significant disabilities are matched to work tasks based on their interests, skills and competencies. The goal is for public interns to gain job experience and training to be able to compete for merit positions within the County, as well as in the private sector. The Commission's OHR Employment Workgroup is advisory to the project and receives updates regarding its implementation and on-going efforts. Dr. Jay Kenney, Chief, Aging and Disability Services, and Joe Adler, Office of Human Resources Director, were instrumental in working with other County departments to get this program started.

## FY11 OPERATING BUDGET TESTIMONY

**Montgomery County Commission on People with Disabilities  
FY11 Operating Budget Forum – before the Montgomery County Council  
April 8, 2010**

**Mark Maxin, Chair | Aaron Kaufman, Vice- Chair**

Good Evening, my name is Mark Maxin and I am speaking on behalf of the Commission on People with Disabilities. We recognize that these are severe economic times and request and trust that you will sustain or increase programs as possible. We ask for consideration of the following:

- Currently, it appears that the services provided by HHS are mostly serving people in crisis or adult protective services or what is known as the “safety net”. We ask that you consider persons who have developmental disability and who are on the Developmental Disabilities Administration Waiting list as being in crisis. The County’s “crisis” in serving this population is due to the State’s poor record of funding programs and services for this population. According to End the Wait Now, Maryland is the wealthiest state in the nation yet ranks 43rd in terms of state spending on developmental disability services. Only eight states rank lower: Alabama, Colorado, Florida, Georgia, Kentucky, Nevada, Texas and Virginia. Maryland devotes 21% less resources for community services than the average state. Children and adults with significant developmental disabilities throughout Maryland need essential services to remain with their families and in their communities. These services have not been adequately funded, so individuals with developmental disabilities and their families have been placed on a Waiting List for community services kept by the Developmental Disabilities Administration. The list has grown to crisis proportions with over 19,000 people statewide with over 3,300 being from Montgomery County.
- We encourage/need you to consider an intake and service coordination system to provide more preventative and maintenance versus crisis only services. There is a need for more service coordinators for people with developmental disabilities to serve as a Safety Net for those that do not and will not get services from the Developmental Disabilities Administration. As the County reduces In Home Aide Services, and Respite the DD waiting list number of people that need assistance getting through the system will increase, and there will be no one able to assist them while they wait for services.
- The Commission joins with Inter ACC/DD in requesting that you include the \$600,000 for the annualization of last year’s new services and for coverage of services to new clients who have a developmental disability in FY11. Agencies providing residential, day and support services for adults who have developmental disabilities in Montgomery County took a 7% cut in the County Executive’s proposed FY11 budget. The DD Supplement/Match which is designed to pay a living wage for direct service employees was cut by about \$580,000. This is on top of a Maryland State Developmental Disabilities Administration (DDA) cut of 2% in FY10 which cost our Montgomery County Agencies an estimated \$1,847,041. Since there is not additional funding in the proposed budget to pay for an expansion of services, the result means that the cuts per person served are more than 7%. InterACC/DD is willing to accept the 7% cut, because they realize the difficult situation that the County is in and feels that they need to bear the pain along with everyone else. DD providers are not willing to accept a 14% cut for services, which is what this budget would result in.
- Restore \$100,000 in the In-Home Aide Care Program which would allow for the provision of more than 14 hours per week, on a case-by-case basis after an updated evaluation, for those 120 identified persons who would be adversely affected by the proposed reduction in hours per week from 20 to a maximum of 14.

## FY11 OPERATING BUDGET TESTIMONY CONTINUED

- Continue funding for the Customized Employment Internship Program.
- Provide additional resources the Senior Nutrition program to provide additional home delivered meals for **people who have disabilities under age 60 years old** who have a difficult time leaving their home and need assistance with food preparation.
- Restore funding for the Library's Disability Resource Center and at minimum not cut anymore from the library. The library serves an important function for disabilities: On a basic level, the library provides computer/internet access to those who cannot afford it in their homes. Further, libraries have specialized assistive technology for people with disabilities. Much of this technology is necessary for people to access the computer but is too expensive for them to purchase on their own. The library also provides training on technology. The library also provides additional services, including a homebound service, for patrons who cannot physically get to the library. Moreover, books, whether hard copy, digital, audio, etc., are for everyone to enjoy. The library should be a place that everyone can access, regardless of ability or disability. Already due to the budget cuts, the talking books collection is being moved from the Rockville library to the Library for the Blind and Physically Handicapped, in Baltimore. People who use these books, such as people who are blind or have low vision, cannot no longer go to the Rockville library, browse and check out a book like everyone else can. Talking books are now ordered from Baltimore and mailed to the person's house. Further cuts would limit, and possibly even eliminate even more services for people with disabilities. We ask that the Council not overlook the fact that people with disabilities have the right to use the libraries and **DO** use the libraries. Services that allow people with disabilities equal access are important and need to be maintained.
- The Commission on Aging is requesting funding a Geriatric Mental Health Treatment Team for low-income seniors with mental health and substance abuse problems. We support their request for this much needed program, and request that you **extend** this program to also serve **people with disabilities who are under age 60** who have a difficult time or are unable to leave their home to receive needed mental health and substance abuse services.

The Commission worked with the Commission on Veterans Affairs, Office of Human Resources, Health and Human Services and the County Council to work to have Bill 46-09 Hiring Preference for People with Disabilities signed into law. We thank you for your outstanding leadership in unanimously supporting this milestone local legislation.

In closing, we recommend that you sustain or increase services as you can in County programs for people with disabilities, including the County's support for community based service providers who do so much to enrich the lives of so many. The County has had a long-standing, laudable policy that enables people with disabilities to live as independently, productively and safely as possible. In order to maintain this policy, the County needs to adequately fund disability programs. We thank HHS and the County for all you have done to make our community a better place to live for people with disabilities.

*"A Community's Budgetary Choices and Policies Reflect its Values"*

# TOP TWO POLICY PRIORITIES FOR FY12

## MONTGOMERY COUNTY COMMISSION ON PEOPLE WITH DISABILITIES MEETING WITH THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE COUNTY COUNCIL

Mark Maxin, Chair  
Aaron Kaufman, Vice-Chair  
September 23, 2010

### **County Housing Policy Impediments\***

- **Lack of currently available affordable housing**
- **Lack of available, especially affordable, housing for residents with a disability**

1. **We recommend a housing policy that provides more opportunity for people to live independently in their own homes. We recommend that the Council work to have more accessible and affordable housing and supports for people with disabilities by:**
  - Increased education and outreach for the Design for Life Montgomery “visit-ability” program in cooperation with permitting services by creating a resource there to help market the program more than they are now able when folks come in for building permits.
  - The County work with HOC and the MPDU program to require that units that were built to be accessible are offered first to those that require accessibility (ie., needing no step entry)
  - Technical assistance to families of cost effective ways to modify their homes after a stroke, accident or a returning disabled Veteran, in consultation with the American Institute of Architects (AIA).
  - Replicating the current program for people with spinal cord injury that has been demonstrated at Metro-pointe; as we have identified 900 people living in MC nursing homes under the age of 60 who have signaled they want out.

\*See [Montgomery County, Maryland Analysis of Impediments to Fair Housing Choice \(AI\) Fiscal Year 2010 Mid-Year Update, January, 2010](#)

### **Higher Rate of Unemployment and Poverty Among People with Disabilities**

- Among all adults age 21+, people with disabilities are almost 3 times more likely to be below the Federal Poverty Level (11.4% vs. 3.6%). In Montgomery County, 31% of working age adults (ages 18 - 54) with disabilities report that they are unemployed.
2. **We recommend increased employment of people with Disabilities within County government and the private sector.** Support the monitoring and full implementation of Bill 46-09 that required the County Executive to adopt regulations establishing and maintaining a hiring preference for certain qualified persons with disabilities who apply for an initial appointment to a County merit system position. The bill places a veteran with a disability first in the order of hiring preference and to give a veteran without a disability and a non-veteran with a disability an equal preference. We also recommend that the County continue to have and support the Customized Employment Internship Program and the Quest Program for interns with disabilities.

The housing and employment needs of people with disabilities also require a **reliable transportation system** for people with disabilities. Metro Access needs better monitoring and the fixed route needs to be continued to serve people with their transportation needs.



# ACCESSIBLE PARKING: EVERYTHING YOU NEED TO KNOW

Everyone recognizes “handicapped” parking spaces, correctly known as accessible parking for persons with disabilities, by the sign with the universal symbol of accessibility. We know that they are reserved for certain persons with disabilities, but we may not be sure about the details. The Montgomery County Commission on Disabilities receives many inquiries about accessible parking, such as:

- Who is eligible to park in the spaces?
- How do I apply for the special parking placard and registration plates?
- Do I have to feed a parking meter if I have a special parking placard for motorists with disabilities?

The Commission encourages all motorists with disabilities to learn more about parking accommodations for persons with disabilities, the use of special parking placards and registration plates, temporary disabilities, etc. **Maryland drivers with disabilities who qualify for special parking placards and registration plates have several parking accommodations available to them:**

- Maryland’s registration plates and placards for individuals with disabilities display the wheelchair symbol and are recognized nationwide.
- You are exempt from paying parking meter fees in Maryland if the parking meters do not meet the requirements of the Americans with Disabilities Act, and can park up to twice (not to exceed four hours). **Please note:** Areas outside of Maryland, including the District of Columbia, have different parking meter exemption laws. Please check with their local government to obtain parking meter exemption information.  
**Note: The Americans with Disabilities Act does not prevent payment of parking meter fees by an individual with a disability. Therefore, you should verify requirements of feeding parking meters and the time limit allowed in the jurisdiction you are visiting.**

## Penalties for Misuse of Parking Accommodations for People with Disabilities

Anyone committing fraud or misrepresenting themselves when applying for or using a parking placard for people with disabilities is subject to a fine of up to \$500. If disability conditions are not met, the plate/placards may be revoked. For more information and the complete “Everything You Need to Know” for Maryland Motorists with Disabilities, visit the MVA website at

<http://www.marylandmva.com/AboutMVA/DISABILITIES/default.htm>.

Failing to display the parking placard and license may result in a \$250.00 fine. It is important to note, in addition to the placard or license plate, drivers are also required to produce their MVA issued ID.

In the upcoming year, the Commission will be reviewing Montgomery County parking rules and enforcement as they pertain to people with disabilities who have a disability placard/plate.

Consideration of possible new approaches to disabled parking abuses by those who park in the spaces who do not have placards or using a placard that is not issued to you will be considered and recommendations will be made to the County parking enforcement office.

Submitted by Commissioner Seth Morgan, M.D.

## I. Overview:

Nationally, accessible parking abuse is rampant and worsening. In 2007, an investigation in Boston, Mass concluded that, of nearly 1,000 placards observed, approximately a third appeared to be used by someone other than the disabled person for whom it was intended. Further, forty-nine placards were registered to people who had died with nine having been renewed after the person's death.

Maryland does not keep track to ensure that placards are returned despite the state regulation that placards be returned once need for them ends or upon the death of the individual to whom they are issued.

Disabled parking placards permit holders to park at metered parking spots free of charge for up to twice the allotted time limit (up to 4 hours). The value of placards has made them the target of theft and at least one recent case of sale of counterfeit placards by a parking enforcement officer in Alexandria, Virginia.

Data suggests that the trend is most probably worsening; in Maryland, disabled parking placards issued jumped from 129,044 last year to 179,420 this year.

## II. Current Maryland Disabled Parking Placard Rules

- Eligibility: requires physician, nurse practitioner, chiropractor, optometrist or podiatrist certification or applicant must be a veteran with 100% disability as per the Veterans Administration.
- The vehicle owner must be the individual with the disability for a disabled license plate; if not the owner of the car, the individual with the disability can apply for a handicapped placard for use when he/she is riding a car.
- The disabled individual must always have his/her medical certification in their possession whenever disabled plates or placard are being used.

## III. Current Problems with Maryland Disabled Parking Enforcement

- Low priority: Enforcement is felt to be of lower importance in the current financial crisis and cutback of resources. This is felt to be a minor infraction within the spectrum of criminal activity and felt to be hard to prove; "not worth the time".
- Lack of interest: In the words of one DC police officer, "Asking them [persons parking in disabled parking spots] if they have a disability is not appropriate." This despite the legal requirement in Maryland that the disabled individual carry medical certification of disability whenever using a placard (see above) and the District of Columbia stating in their municipal regulations dealing with disabled parking law that "the person with the disability shall be in the motor vehicle displaying special license tags or a special parking permit when that motor vehicle is driven into or out of the parking space".
- Parking enforcement officer difficulty accessing records in the field to verify that the individual using a placard is, in fact, permitted to use that placard also is a factor.

## IV. Potential Solutions & Approach of Other States/Jurisdictions to Improved Monitoring Should placard renewal be required more frequently?

- Currently, Maryland placards are valid for four years.
- The state should keep track of and collect expired placards and those no longer needed.

### Should the state change the placards themselves?

- In North Carolina, new disabled placards have an expiration date printed on the placard in a font large enough to be easily read from 20 feet away.
- In South Carolina, a recent law went into effect requiring the placard to have a photo of the disabled person to whom it is issued for enforcement simplification.
- Advocates in other states are proposing placing the drivers license number or the personal ID number of the person issued the placard on the placard itself (these are numbers of public record and not confidential).

## ACCESSIBLE PARKING ABUSE - CONTINUED

### **Should volunteer programs be used in Maryland to enforce disabled parking laws?**

- This has been used in various jurisdictions nationally already (Miami, FL; Kent, WA; Denver, CO; Phoenix, AZ; Escambia County, FL; Huntington, Long Island, NY; and others).
- During the 2005 session, Maryland's General Assembly passed Senate Bill 630 which has provisions pertaining to parking for individuals with disabilities and authorizes the initiation of public outreach to enhance public awareness and to assist in disabled parking enforcement.
- Several volunteer programs assisting law enforcement in Maryland are already active.
- Programs require training and supervision, however the use of volunteers to police disabled parking abuse frees up police officers to concentrate on more serious crimes and generates revenue from parking tickets at a time when revenue streams are drying up. Potential revenues from such a volunteer program, by estimates, could reach into the millions of dollars county-wide.

**Should disabled parking enforcement be outsourced?** Added incentive to enforce laws by for-profit companies may result in more aggressive and effective enforcement. This would eliminate the concern about volunteer training and potential legal risks of a volunteer program to the county.

**Should fines for disabled parking violations be increased?** A California law went into effect this year giving cities the authority to increase fines for disabled parking violations up to \$1,000. Assembly Majority Whip Fiona Ma (who authored the bill) commented that, if you go for a pizza and park in a disabled spot for the convenience of doing so, "and come back, and you've got a ticket for \$750, I think you'll think twice about doing that again". [Note: San Francisco increased the maximum fine for disabled parking violations in its jurisdiction to \$750]

**Should fines and penalties for altering disabled placards be stiffened?** Some jurisdictions double or triple fines for altering placards (changing expiration date, etc.) or using placards that have been issued to individuals who are deceased; some carry the potential for the guilty party to be given a jail sentence as well.

**In private parking lot disabled spaces, should the burden of enforcement be on businesses or law enforcement? Who is responsible?** (As example, when a disabled motorist recently complained to a manager at COSTCO in Pentagon City about a car in a disabled parking spot not having a placard, the manager stated that the lot was managed by a separate company. The parking officer he was referred to said that he didn't have his ticketing book. Someone needs to be held accountable in private lots based on the ADA law).

**Should disabled parking laws be changed?** The practice of allowing those with disabled placards to park free of charge at metered parking spots has already been an issue of discussion in Maryland but any policy change will necessitate that all parking meters be made accessible for those with disabilities. Currently this is not the case and the cost of making all parking meters accessible is not an option on a county/state budgetary basis. As new ADA compliant lots are designed and built, such a policy may be possible on a case by case basis.

### **A Cautionary Comment**

Frustration over parking abuse of disabled spots has led to websites that document possible cases of such abuse as perceived by the public. The dangers of injury to those who take it upon themselves to confront those that they perceive as abusing the system raises risks for injury from altercation and endangers those with disabilities that are not readily apparent to such vigilante groups.

Controlling the risk by establishing police department trained and sponsored volunteer enforcement teams, outsourcing to aggressive private companies or other means of demonstrating a serious interest in effectively addressing disabled parking abuse is essential.

**Clearly, we need changes in Montgomery County to disabled parking use and enforcement. What other options should we consider? Please contact the Commission with any recommendations.**

Reference data provided upon request.

## SPOTLIGHT ON COLUMBIA LIGHTHOUSE FOR THE BLIND

**Submitted by Commissioner Kim Alfonso**

Every seven minutes someone becomes blind or visually impaired in the United States. There are estimated to be 15,000 blind and visually impaired consumers in Montgomery County. However, this trend is significantly growing due to the aging baby boomers (macular degeneration), increase in diabetes (Diabetic Retinopathy), increase in our veterans who are losing their vision and/or returning home with vision loss/blindness (over 4,600 in the greater Washington region) and the increase in the numbers of senior citizens in Montgomery County. Columbia Lighthouse for the Blind has been provided programs, services, training and employment to these consumers for over 100 years. Over the past few years, based on the economy and aging population there has been a significant need for independent living skills (working with seniors to remain independent in their own homes or at assisted living centers), and job training/employment (working with working age adults who are visually impaired/blind in securing employment).

Based on the funding we receive from Montgomery County DHHS we have been able to (just to name a few):

- Provide independent living skills to seniors, staff training at assisted living centers/nursing homes, orientation and mobility training
- Increase our Circle of Friends support groups to include one at Holy Cross Hospital/Senior Source and in Silver Spring
- Provide low vision services to consumers with diabetes and seniors in need of care
- Provide transportation to consumers (primarily seniors) who are in need of social interaction and activities (get them out of their homes)
- Provide ASL interpreters to deaf-blind residents (we are also seeing an increase in requests for services from this population) who are in need of our services
- Launch a Montgomery County teen support group in collaboration with Montgomery County Public Schools
- Provide job training to our veterans returning home with vision loss (17% of veterans are returning home with vision loss)

This funding is critical to consumers who are visually impaired or blind in Montgomery County as their needs continue to increase and the numbers continue to increase. We are only meeting the needs of few due to limited funding but also due to community outreach. Many of the consumers who are in need of our services may not be aware of our services. We need to continue to reach out to the communities, primarily the senior citizen communities to make sure that they know we are here to serve them. This is of particular importance in low income, under-insured markets. We have been working with the local blind organizations, community organizations that serve the disabled (Easter Seals, etc.), churches, school systems as well as with the local media. Montgomery County should continue to do the following:

- Provide funding to non-profit organizations serving this community to provide programs, services and training,
- Assist non-profit organizations in marketing/communicating to communities their services and programs,
- Support the hiring preference to assist in increasing the numbers of job ready blind or visually impaired consumers (our employment rate is remains steady between 55% - 70% which is unacceptable),
- Hold annual panels to provide this community an opportunity to voice their concerns and needs,
- Work diligently to address and fix issues with MetroAccess (we cannot continue to allow MetroAccess to operate as they do),
- Provide funding to support workforce development training for our veterans who suffer from vision loss,
- Support seniors losing their vision in remaining in their homes and,
- Continue to always have a voice from this community on the Commission.

## SUBMITTED BY COMMISSIONER JOHN MIERS

I have worked on several projects this year which will assist the CPWD with its various goals and objectives. Public awareness is the major thread in all of this.

**Workgroup on Houses of Worship:** I have inspected one church in Montgomery County and made recommendations as to its accessibility to persons with disabilities. I have also made a presentation on Disability for “Disability Awareness Sunday” to another church in the County.

**Health and Wellness Committee:** I have served on this CPWD committee, planning liaisons with other County commissions and planning for Health Tips for the CPWD. These Tips are particularly selected to be of maximum use for persons with disabilities.

**Inter-group Liaison** is an essential part of being on a commission in Montgomery County. In this time of economic difficulty, it is important for each commission to be aware of, and assist, other relevant commissions. This will not only make the other commission aware of the interests and needs of the CPWD, but will also allow the CPWD to work with them on potential projects and to support their budget requests. One plus one equals three.

**CHIP (Community Health Improvement Program):** This is a broad ranging, numerically based view of Montgomery County and its regions. Various data are loaded into this Program, and statistical charts and tables are developed to assess, track, and ask questions about health topics in Montgomery County. It is essential for CPWD to have a voice on this Program, and I have done so.

**MHAC (Mental Health Advisory Committee):** Mental Illness is one of our most prevalent disabilities. Having a voice on this MHAC is valuable in both directions. MHAC needs to be aware of just what is being done for all citizens with disabilities; CPWD needs to include mental illness in all its planning.

**Emergency Preparedness Advisory Panel:** This newly formed panel assists Montgomery County in planning for emergencies of all sorts. It is essential that the CPWD be included in ensure that citizens with disabilities are included in all their plans. I have done so.

**Committee on Aging:** John Miers served on two projects connected with the Commission on Aging. First was a study on the provision on mental health care to seniors in nursing homes and assisted living facilities. As noted above, mental illness is a major cause of disability, and the adequate provision of this care is essential to this population. Second was participation on a Summer Study on Transportation in Montgomery County. While this was focused on the Aging population, many of the needs and resources closely parallel those of the disability community. My participation led them to closely consider the needs of both communities.



by Rikki Epstein, ADA Operations Manager, Office of ADA Programs  
Department of Access Services  
Washington Metropolitan Area Transit Authority

### **MetroAccess Riders to Prepay by Phone, Online or Use Cash for Trips**

#### **Tokens, Paper Fare Cards Phasing Out Effective January 31**

In an effort to simplify and save customers time in paying fares, Metro is encouraging its MetroAccess riders to use remaining tokens and paper fare cards before January 31, 2011, when they will be discontinued for use. The Metro Board of Directors voted yesterday, October 28, to approve the elimination of the tokens and paper fare cards.

The transition is being planned in preparation for new distance based fares that are being implemented on December 5, as part of the 2011 budget fare changes authorized earlier this year. Under the new fares, continued use of tokens and paper fare cards will add handling time to each trip.

While paper fare cards and tokens are being phased out, Metro is encouraging MetroAccess customers to prepay for trips by phone or online using a credit or debit card with MetroAccess EZ-Pay. The service has been available to customers since May 2009. SmartBenefits customers may also take advantage of MetroAccess EZ-Pay. Customers can receive step-by-step instructions on how to use EZ-Pay online, or they can call 301-562-5360 to request information. In addition to EZ-Pay, MetroAccess fares also may be paid in cash in the exact amount at boarding.

Starting December 5, MetroAccess fares will be based on the distance and time of day that a customer travels. The MetroAccess fare will be twice the amount of what the fare would cost on the fastest comparable trip if the same trip were taken on fixed-route services (Metrobus and Metrorail), up to a maximum fare of \$7.

MetroAccess customers will be informed of the exact fare that they are expected to pay for a trip when they book a trip online or with a MetroAccess reservations agent.

Effective July 1, the MetroAccess service area was changed to provide paratransit service to locations within  $\frac{3}{4}$  mile of fixed route service (Metrobus and Metrorail) during the same hours that fixed route transportation services are available. Customers who traveled outside the ADA service area or hours in FY2010 are permitted to continue to do so under a grandfathering provision adopted by the Metro Board of Directors. All grandfathered trips outside the ADA service area will be charged the maximum fare.

## METROACCESS UPDATE

### Submitted by Commissioner Paul Meyer

The Commission continues to support a MetroAccess Program that is reliable, available and affordable to those individuals with disabilities who cannot use the fixed route system. Commissioner Paul Meyer continues to represent the Commission to the Transportation Planning Board Access for All (AFA) Advisory Committee and the Human Service Transportation Coordination (HSTC) Task Force. Both Committees, which are under the Council of Government's (COG) umbrella are tasked with making recommendations to support the rights of people with disabilities to accessible transportation services in the DC Metropolitan area.

While anecdotal comments and some basic studies show that the reliability of the MetroAccess Program continues to improve, huge deficits in the WMATA budget have resulted in some cuts in the MetroAccess service area and fare increases for many MetroAccess users that are well over 100% for this year. These changes are legal under the ADA, however they represent a fundamental change in the way WMATA provides for and charges for services to those individuals who use the MetroAccess Program.

While the Commission supports programs that encourage the use of fixed route systems for those who can use them, it is very concerned that these huge fare increases and cuts in service will result in major hardships for a large number of people with disabilities. It is hoped that in the coming year the County can work with State to review how these changes have impacted people with disabilities and lobby WMATA to review and modify these changes. Information regarding the current policies and fares can be viewed at [http://www.wmata.com/accessibility/metroaccess\\_service/](http://www.wmata.com/accessibility/metroaccess_service/).

# WHO HAS A DISABILITY IN MONTGOMERY COUNTY, MD? AN OVERVIEW

The U.S. Census Bureau Census, 2000, estimated that there were 186,580 persons living in Montgomery County with a disability. Nationally, it is estimated people with disabilities make up 19.8% of the total population. According to a 2009 American Community Survey conducted by the U.S. Census Bureau, 12% of Americans self-reported as having a disability. These figures excluded individuals who reside in nursing homes or other institutions. The Census Bureau defines disability as a long-lasting sensory, physical, mental, or emotional condition or conditions that make it difficult for a person to do functional or participatory activities such as seeing, hearing, walking, climbing stairs, learning, remembering, concentrating, dressing, bathing, going outside the home, or working at a job.

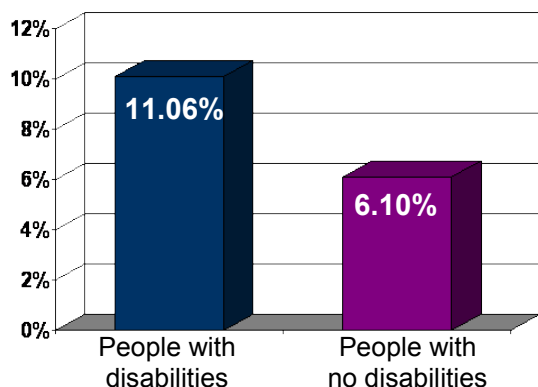
## Social Security Recipients (SSI)

As of December, 2009, there are **12,479** people receiving Supplemental Security Income (SSI) in Montgomery County. Of those individuals, **6,958** have a disability.

People under 18	1,077
People 18 - 64	4,718
People 65 or older	6,684
<b>Total</b>	<b>12,479</b>
Social Security Insurance recipients also receiving Social Security Disability Insurance (SSDI)	3,106
<b>Total Amount of Payments</b>	<b>\$6,211,000</b>

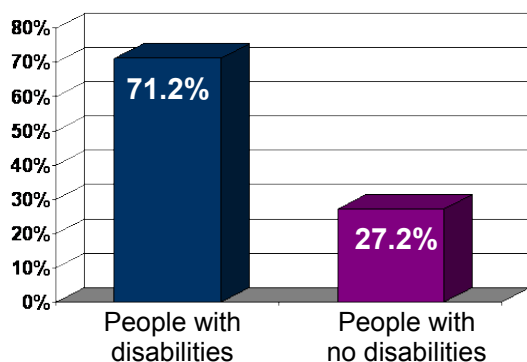
Source: Social Security Administration, 2009

## Poverty Status - Montgomery County, MD Population 18 to 64 years



Source: U.S. Census Bureau, American Community Survey, 2009

## Unemployment Status - Montgomery County, MD Population 18 to 64 years



Source: U.S. Census Bureau, American Community Survey, 2009

## 2009 Disability Characteristics - Montgomery County

Subject	Total
<b>Population under 5 years</b>	<b>69,772</b>
With a disability	540
With a hearing difficulty	381
With a vision difficulty	159
<b>Population 5 to 17 years</b>	<b>167,431</b>
With a disability	7,805
With a hearing difficulty	495
With a vision difficulty	869
With a cognitive difficulty	4,419
With an ambulatory difficulty	563
With a self-care difficulty	1,459
<b>Population 18 to 64 years</b>	<b>605,601</b>
With a disability	51,391
With a hearing difficulty	6,425
With a vision difficulty	3,997
With a cognitive difficulty	11,296
With an ambulatory difficulty	13,188
With a self-care difficulty	5,435
With an independent living difficulty	11,050
<b>Population 65 years and over</b>	<b>114,917</b>
With a disability	79,969
With a hearing difficulty	11,561
With a vision difficulty	5,914
With a cognitive difficulty	11,127
With an ambulatory difficulty	21,758
With a self-care difficulty	9,169
With an independent living difficulty	20,440
<b>Total Population With A Disability</b>	<b>139,705</b>

Source: U.S. Census Bureau, American Community Survey, 2009

# MONTGOMERY COUNTY PUBLIC SCHOOLS SPECIAL EDUCATION

## Number of Montgomery County Public School Students with Disabilities Ages 3 - 21 Receiving Special Education Services

As of September, 2009, there were **16,898** students with disabilities enrolled in Special Education. This population makes up **11.9%** of the County's total school enrollment of 141,722 students.

Disability Type	# of Students 2008	# of Students 2009
Autism	1,308	1,501
Deaf	110	101
Deaf-Blind	2	1
Developmental Delay	1,197	1,415
Emotional Disturbance	635	684
Hearing Impairment	152	163
Intellectual Disability	649	652
Multiple Disabilities	220	256
Orthopedic Impairment	62	59
Other Health Impairment	2,592	2,755
Specific Learning Disability	5,615	5,608
Speech and Language Impairment	3,838	3,613
Traumatic Brain Injury	31	27
Visual Impairment	73	63
<b>Total</b>	<b>16,485</b>	<b>16,898</b>

Source: Maryland State Department of Education - Special Education/Early Intervention Services Census Data 10/2009

## Montgomery County School Enrollment - Special Education Ages 3 to 21

Special Education enrollment has increased by **672** students over the last ten years.



Source: Maryland State Department of Education - Special Education/Early Intervention Services Census Data 10/2009

## Students with Disabilities By Race Compared with General Education Students by Race - Ages 3 to 21

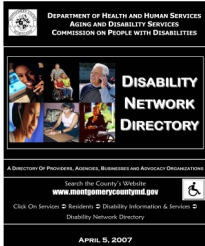
SWD = Students with Disabilities / GE = General Education

	Grand Total	American Indian/ Alaskan Native		Asian/Pacific Islander		African American		White		Hispanic	
		Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent
<b>SWD</b>	16,898	52	0.3%	1,371	8.1%	4,798	28.4%	6,451	38.2%	4,226	25.0%
<b>GE</b>	141,722	432	0.3%	22,176	15.6%	32,864	23.2%	54,035	38.1%	32,215	22.7%

Source: Maryland State Department of Education - Maryland Special Education Census Publication 10/2009

# PUBLICATIONS PROVIDED BY THE COMMISSION

## Publications Provided by the Commission on People with Disabilities



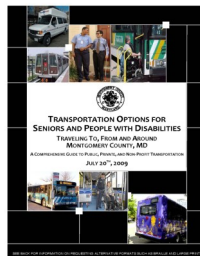
### DISABILITY NETWORK DIRECTORY:

A directory of provider agencies, businesses and advocacy organizations. The directory is provided upon request to people seeking local, state and national resources for people with disabilities.

(Both publications are also on the County website - See website location below)

### TRANSPORTATION OPTIONS FOR SENIORS AND PEOPLE WITH DISABILITIES:

A comprehensive listing of public, private and non-profit transportation in the Washington Metropolitan Region, State of Maryland and beyond. The guide was compiled to assist County residents to better coordinate their transportation needs.



Visit the Disability Services Website:

[www.montgomerycountymd.gov/disability](http://www.montgomerycountymd.gov/disability)

## DON'T GET STUCK IN TRAFFIC, IF THERE IS AN ACCIDENT!!!!

You are encouraged to sign up for emergency alerts from

**Alert Montgomery.**

Let Montgomery County contact you using the Roam Secure Alert Network during a major crisis or emergency. Alert Montgomery can deliver important emergency alerts, notifications and updates to you on all of your devices at once:

- e-mail account (work, home, other)
- cell phone
- text page
- Blackberry
- wireless PDA

<https://alert.montgomerycountymd.gov>



Montgomery County encourages all residents to put together a plan for emergencies. The County has emergency response plans in place for dealing with emergencies from snow storms to terrorist attacks.

However, each person is strongly encouraged to develop their own personal plan. Montgomery County has developed the Plan 9 Guide for residents. It is a simple guide to nine essential items to help residents shelter in-place during emergencies.

We also encourage people to request a File of Life that allows you to fill out your medical history and rescue personnel are trained to look for this File on your refrigerator. To request a File of Life, call the Health and Human Services Aging and Disability Resource Unit: 240-777-3000 (V), 240-777-2545 (TTY), or visit the websites:

[www.makeaplan.org](http://www.makeaplan.org)

[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)



Collect these **nine essential items** to help you shelter-in-place in the event of an emergency.



**1. Water:** *One gallon* per person per day for three days. Replace the water every 6 months.



**2. Food:** *Non-perishables* such as canned or packaged food. Enough to last 3 to 5 days per person.



**3. Clothes:** *One change* of clothes and footwear per person. Consider packing blankets, rain-gear, and outerwear in case of severe weather.



**4. Medications:** *Three days worth* of prescription medications. Be sure to mark the expiration dates and change as needed.



**5. Flashlight:** *A bright flashlight* and extra batteries. Do not use candles as they are fire hazards.



**6. Can Opener:** Manual can opener in case there's no electric power. Buying foods with pull-open cans is also helpful.



**7. Radio:** Battery-powered radio and extra batteries. Crank operated or solar powered radios are also helpful.



**8. Hygiene Items:** Basics like soap, toilet paper and a toothbrush. Moist toiles are useful.



**9. First Aid:** Basics like antiseptic, gloves, bandages, and non-prescription medicines. Many stores have pre-made kits.



# ABOUT THE COMMISSION

## HISTORY

The Commission on People with Disabilities was established by County legislation in 1978 to advise the County Executive and County Council on the coordination and development of the County's policies affecting residents with disabilities.

## MISSION

The Commission provides advice, counsel, and recommendations to the Government of Montgomery County, Maryland in general, the County Executive, and the County Council in particular. Its responsibilities involve those matters influencing the provision of services, County policies and procedures, development and implementation of state and federal laws, and any other issues affecting the lives, rights, and welfare of the people it represents. The Commission operates in belief that people with disabilities have the right to the same opportunities in life as people without disabilities; and that this right can best be ensured by a commitment to enhancing the image, status, and quality of life of all children and adults with disabilities.

## MEMBERSHIP

The Commission on People with Disabilities is composed of 25 voting members who serve in a volunteer capacity. Members are appointed by the County Executive and confirmed by the County Council.

The Commission includes:

- ▶ 13 people with disabilities,
- ▶ 3 parents of people with disabilities, and
- ▶ 9 representatives of public and private service providing agencies

The Commission also includes ex-officio members that are appointed to represent the Departments of Health and Human Services, Transportation, Recreation, Libraries, Office of Human Resources, and the Human Rights Commission. There are also members who represent Montgomery College, Montgomery County Public Schools, and the Housing Opportunities Commission.

## MEETINGS

All Commission and Committee meetings are open to the public. The Commission welcomes visitors to join us as we serve the County and its residents. Meetings are subject to change without advance notice. Please call to confirm day and time of meetings and to request any special accommodations. As possible, we adjust meeting dates in order to accommodate days of major religious observances. You can view the Commission meeting minutes online at:

[www.montgomerycountymd.gov/cpwd](http://www.montgomerycountymd.gov/cpwd)

## MEETING SCHEDULE FOR 2010 - 2011

### **Full Commission Meeting**

2nd Wednesday of the month,  
except for July & August.

101 Monroe Street, Lobby Auditorium  
Rockville, MD 20850  
6:00pm - 7:30pm

### **Steering Committee Meeting**

3rd Wednesday of the month

401 Hungerford Drive, Rockville, MD 20850  
1st Floor Tan Conference Room  
5:30pm - 6:30pm

### **Workgroups**

Meet, as needed, at differing locations.

## COMMISSION STRUCTURE

The Commission operates through a structure that is re-evaluated annually to respond to changing needs. The Steering Committee is responsible for planning and directing the activities of the Commission and for overseeing the activities of the committees.

The work of the Commission is done by Commission members and interested persons from the community. In addition, coordinators are assigned to take lead responsibility for public relations and legislation. The Nominating and Selection Committees, required for administration purposes, were also established.

*Be an advocate!!! The Commission encourages that all residents with disabilities and their families communicate with their elected officials about their needs for programs and services. The following pages include contact information for you to use in contacting your elected officials.*

## HOW TO CONTACT YOUR COUNTY ELECTED OFFICIALS



**County Executive  
Isiah Leggett**

The **County Executive** can be reached at:

Executive Office Building  
101 Monroe Street, 2nd Floor  
Rockville, MD 20850  
240-777-2500 (V)  
240-777-2544 (TTY)  
[ocemail@montgomerycountymd.gov](mailto:ocemail@montgomerycountymd.gov)



**Montgomery County Council**

The **County Council** can be reached at:

Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, MD 20850  
240-777-7900 (V)  
240-777-7914 (TTY)  
240-777-7888 (FAX)  
[county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov)

*Standing, left to right: Mike Knapp, Nancy Navarro, George Leventhal, Vice President Valerie Ervin, and Marc Elrich.  
Seated, left to right: President Nancy Floreen, Roger Berliner, President Phil Andrews, and Duchy Trachtenberg.*

**Isiah Leggett, County Executive  
Uma S. Ahluwalia, Director  
John J. Kenney, Ph.D., Chief**

**Montgomery County Department of Health and Human Services  
Aging and Disability Services, Commission on People with Disabilities  
401 Hungerford Drive, 4th Floor  
Rockville, Maryland 20850  
240-777-1246 (V) ♦ via MD Relay at 711**

**Language translation and alternative formats of this report are available upon request.  
For additional information on the Commission, please call the telephone numbers or write to the  
address listed above or e-mail via the contact information listed below.**

*Montgomery County does not discriminate on the basis of disability in  
employment or in the admission or access to its programs or services.*

2009 - 2010 Annual Report Prepared By:

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